

HB 1536 -- CITIZENS POLICE REVIEW BOARD

SPONSOR: Adams

This bill creates a Citizens Police Review Board within the Department of Public Safety to investigate civilian deaths resulting from an officer involved shooting.

Section 590.850, RSMo

This bill defines the terms used in Sections 590.850-590.865.

Section 590.853

This bill creates a Citizens Police Review Board within the Department of Public Safety consisting of six members appointed by the Director of the Department and a member of the Commission on Human Rights appointed by the commission. Each board member shall be a resident of the state and a registered voter. Additional eligibility requirements and responsibilities are specified in the bill. Board members must follow the National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics.

Section 590.856

The board must convene to investigate any civilian fatality resulting from a law enforcement officer-involved shooting. The board will also have to conduct various reviews of appeals, decisions, and records regarding allegations of misconduct by law enforcement.

Section 590.859

The board shall elect a chairperson and vice-chairperson to serve a one year term and five members shall constitute a quorum. The board will meet semi-annually with the department director to discuss issues of concern and to make recommendations. When there is an officer involved shooting that results in a civilian fatality the board may meet as needed and request the department director to attend for informational purposes.

Section 590.862

Any family member, friend, or attorney of a civilian who has died as a result of a law enforcement officer-involved shooting or any person who witnessed alleged misconduct of a law enforcement officer may file a complaint with the department within one year from the date of the alleged misconduct. The board must investigate only alleged misconduct that is not criminal or is not

subject to prosecution. The law enforcement agency and its officers must cooperate with the board.

Law enforcement officers under investigation by the board must have the rights specified in the bill.

Section 590.865

After the investigation has been concluded and all witness testimony and forensic evidence has been reviewed, the board must determine whether the complaint is unfounded, not sustained, or sustained, or whether the officer is exonerated.

The board must report its findings and determination to the county prosecutor or to the St. Louis City prosecutor depending on where the shooting occurred. The report must include a recommendation to the prosecutor regarding whether the officer should be charged with a crime due to his or her involvement in the fatality.

This bill is similar to HB 416 (2015).